

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)



STATE OF MAINE
DEPARTMENT OF PUBLIC SAFETY
MAINE STATE POLICE
OFFICE OF THE STAFF ATTORNEY

January 7, 2025

Joint Standing Committee on Criminal Justice & Public Safety
State House Room 436
c/o Legislative Information Office
100 State House Station
Augusta, Maine 04333


And

Maine Indian-Tribal State Commission
PO Box 35
Whiting, ME 04691

Re: Department of Public Safety Tribal-State Collaboration Report

Jill Tompkins, MITSC Executive Director and members of the Commission; and Senator Anne Beebe-Center and Representative Tavis Hasenfus, Chairs of CJPS and members of the committee, please accept the attached report on Tribal-State Collaboration from the Department of Public Safety pursuant to 5 M.R.S. §11055(2).

Respectfully,


Paul Cavanaugh
STAFF ATTORNEY, MAINE STATE POLICE




Janet T. Mills
Governor

STATE OF MAINE
Department of Public Safety
104 State House Station
Augusta, Maine
04333-0104



Michael J. Sauschuck
Commissioner

TO: Joint Standing Committee on Criminal Justice and Public Safety
Maine Indian Tribal State Commission

FROM: Paul Cavanaugh, Esq. 
Maine Department of Public Safety Tribal Liaison

DATE: January 7, 2025

RE: Tribal-State Collaboration Report
5 M.R.S. §§11051, et seq.

This report is submitted pursuant to 5 M.R.S. 11055(2), which requires the Department of Public Safety to file biennial reports with this Committee describing our implementation of the Tribal-State Implementation Act. Please find submitted with this report a copy of the Department of Public Safety's Tribal-State Collaboration Policy.

Background:

In 2022, representatives of the Houlton Band of Maliseet Indians, the Passamaquoddy Tribe, the Penobscot Nation, and the Governor's Office negotiated the terms of legislation intended to expand economic opportunities for, and improve the welfare of, the Wabanaki Nations and their citizens, and to make structural changes in certain state agency decision-making to promote government-to-government dialogue with the Wabanaki Nations. That legislation, enacted as Public Law 2021, c. 681, contains three parts. First, it amends Maine's tax laws both to provide financial benefits to Tribal citizens residing on Tribal lands, and to encourage economic development on Tribal lands. Second, it provides each of the four Wabanaki Nations located in Maine with the exclusive opportunity to conduct mobile sports wagering operations within the state. Third, it establishes in law a Tribal-State collaboration process designed to promote meaningful communication on issues of particular significance to the Tribes and their citizens.

The Tribal-State Collaboration Act:

The Tribal-State Collaboration Act, 5 M.R.S. 11051 *et seq.*, requires 15 agencies identified in the statute to engage in a Tribal collaboration process regarding contemplated programs, rules, or services that substantially and uniquely affect Maine’s four federally recognized Tribes or their citizens. It is intended to be a user-friendly process free from unnecessary bureaucracy that will be implemented within existing resources.

Tribal-State biennial report pursuant to 5 MRS §1105(2):

Section 1105(2) articulates the legislative mandate for the data that must be included in this report. Pursuant to those requirements, DPS submits this report.

5 M.R.S. 11053(2)(A): The Department of Public Safety adopted its collaboration policy, which is appended to this report, on February 9, 2023. There have been no changes since the policy was adopted and none are currently under consideration.

5 MRS §11053(2)(B): The Department’s Tribal liaison is:

Paul F. Cavanaugh, Esq.
45 Commerce Drive, Suite 1
Augusta, Maine 04333
Phone: 207-626-3800
Mobile: 207-446-6590
Paul.F.Cavanaugh@maine.gov

5 MRS §11053(2)(C): DPS Tribal Liaison Cavanaugh received, on December 6, 2022, the Governor’s Office’s training on how to implement the statute in a manner that promotes effective communication and positive government-to-government relations with the Tribes. On October 21, 2024, Paul attended the presentation “Wabanaki History and Culture Sharing” at Camp Chamberlain. Pursuant to the Maine Civil Rights Act (5 MRS §§4681-4685), Attorney Cavanaugh is the Civil Rights Officer for headquarters and received the Attorney General’s Office required training as a refresher on December 11, 2024. The Governor’s Office has also requested that the Maine Indian Tribal State Commission (MITSC) help to facilitate training of state agency Tribal liaisons on

issues of cultural competency, and MITSC has agreed to do so. We look forward to that training as soon as it is available.

5 MRS §11053(2)(D): DPS does not anticipate and is not currently intending to adopt, amend, or provide programs, rules, or services that substantially and uniquely affect Indian Tribes or tribal members.

5 MRS §11053(2)(E): Department of Public Safety Collaboration:

On October 21, 2024, Tribal liaison Cavanaugh attend the Tribal and DVEM training regarding Advancing Wabanaki Wellness: Wabanaki History and Culture share.

Maine Department of Public Safety, Bureau of Highway Safety (BHS) is working with the Houlton band of Maliseet Tribe on two important issues. The Maliseet Tribe and BHS work together to provide free car seats to income eligible families. A technician from the Maliseet Health and Wellness Center is pursuing certification from BHS as a Child Passenger Safety Instructor. The car seat distribution, combined with hands-on education, has directly contributed to safer travel. Additionally, BHS is working with the Maliseet Health and Wellness Center and the Tribal Engineer to help reduce the number of motor vehicle crashes in the community. The Tribe is working to improve roads and sidewalks on high crash roads. The BHS's Highway Safety Coordinators and Law Enforcement Liaisons are available to discuss these safety issues and more meetings, virtual and live, are anticipated.

DPS Bureau of Emergency Medical Services is working to connect Maine's tribal communities with their youth program. EMS ConnectME is a youth program designed by Maine Office of Emergency Medical Services (Maine EMS) and JMG, an educational nonprofit committed to "ensuring all Maine students graduate, attain post-secondary credentials, and pursue meaningful careers." EMS ConnectME's mission is "to provide an accessible opportunity for Mainers to learn about the field of emergency medical services, connect with their local healthcare and public safety partners, and serve their communities."

Program rollout began with setting up initial pilot sites around the state. The team recruited Brad Morris, EMS Coordinator at Passamaquoddy Fire and Rescue, to work on starting a program in Indian Township. Maine EMS's statewide Program

Coordinator traveled to Indian Township to tour the station and talk about the community's needs for this type of program. After obtaining approval from Chief Nicholas, work began to create an action plan to guide the agency's local program. The leadership of all initial sites, which included Brad Morris, met monthly with the Program Coordinator to discuss updates, best practices, and lessons learned.

Unfortunately, Passamaquoddy Fire & Rescue had limited capacity due to several other EMS-related projects. The site did not become active during the pilot phase. However, they did express interest in starting again once the pilot phase had ended and the program had evolved into something more streamlined and easier to implement.

The statewide team remains committed to ensuring EMS ConnectME is available to Maine's tribal communities. In October 2024, the Program Coordinator met with Sarah Sherman, Director of Strategic Partnerships at Maine Bureau of Veterans' Services, to talk about further outreach. Director Sherman planned to pitch the program at an upcoming meeting with some of her connections.

More work is needed in 2025, but the Program Coordinator is committed to in-person outreach to ensure that Maine's Tribal communities have access to this opportunity for their youth and emergency medical services.

As the legislative session began, the Commissioner circulated a memorandum to the Department's legislative designees and the Directors of all Bureaus reminding them of the Act and this policy. As bills are identified which DPS will monitor, we are committed to reviewing each to comply with the Act.

Recommendations for Changes to the Act:

The Department of Public Safety has no recommendations for changes to the statute.